

**General Assembly**

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Seventy-third session**Request for the inclusion of a supplementary item in the agenda of the seventy-third session****The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity****Letter dated 17 August 2018 from the representatives of Afghanistan, Denmark, Guatemala, Japan, the Netherlands, Romania, Rwanda, Ukraine and Uruguay to the United Nations addressed to the Secretary-General**

On behalf of the Permanent Missions of Afghanistan, Denmark, Guatemala, Japan, the Netherlands, Romania, Rwanda, Ukraine and Uruguay, we have the honour to request, in accordance with rule 14 of the rules of procedure of the General Assembly, the inclusion in the agenda of the seventy-third session of the General Assembly of a supplementary item entitled "The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity".

In accordance with annex IV, paragraph 18, to the rules of procedure of the General Assembly, we request that the item be referred to the plenary of the Assembly.

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is attached to the present letter (see annex).

We have the further honour to request that the present letter and its annex be circulated as a document of the General Assembly.

(Signed) Mahmoud Saikal
Ambassador

Permanent Representative of Afghanistan to the United Nations

(Signed) Ib Petersen
Ambassador

Permanent Representative of Denmark to the United Nations

(Signed) Jorge Skinner-Kleé Arenales
Ambassador

Permanent Representative of Guatemala to the United Nations



(Signed) Koro **Bessho**
Ambassador
Permanent Representative of Japan to the United Nations

(Signed) Karel J. G. **van Oosterom**
Ambassador
Permanent Representative of the Netherlands to the United Nations

(Signed) Gheorghe **Necula**
Chargé d'affaires a.i.
Deputy Permanent Representative of Romania to the United Nations

(Signed) Valentine **Rugwabiza**
Ambassador
Permanent Representative of Rwanda to the United Nations

(Signed) Yuriy **Vitrenko**
Chargé d'affaires a.i.
Deputy Permanent Representative of Ukraine to the United Nations

(Signed) Elbio **Rosselli**
Ambassador
Permanent Representative of Uruguay to the United Nations

Annex

Explanatory memorandum

The responsibility to protect was enshrined in paragraphs 138 and 139 of the World Summit Outcome adopted by Heads of State and Government in 2005.

The World Summit Outcome provides that:

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter [of the United Nations], to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

The General Assembly adopted the 2005 World Summit Outcome in its resolution 60/1.

In January 2009, the Secretary-General submitted his first report on the subject, entitled "Implementing the responsibility to protect" (A/63/677). The Secretary-General's report was considered later that year in the debate organized by the President of the General Assembly on the responsibility to protect. In its resolution 63/308, the Assembly took note of the Secretary-General's report and the Assembly's debate and decided to continue its consideration of the responsibility to protect.

There has, however, been no consideration of the responsibility to protect by the General Assembly as part of its formal agenda until the current, seventy-second, session.

On 25 June and 2 July 2018, 1 regional organization and 79 Member States made statements on behalf of 113 countries. The debate provided an overview of the range of actions that Member States, across all regions, have undertaken to prevent genocide, crimes against humanity, war crimes and ethnic cleansing.

Furthermore, a significant number of Member States welcomed and called for the inclusion of the responsibility to protect as a standing item on the formal agenda of the General Assembly, recognizing that a formal debate allows time for Member State interventions and for States to record their views on the responsibility to protect.

It also encourages a constructive conversation aimed at identifying more common ground on the responsibility to protect, as articulated in the World Summit Outcome.

The inclusion of the responsibility to protect on the formal agenda would also be in line with recommendations of the Secretary-General, who has signalled that the responsibility to protect is a key component of his prevention agenda (see A/71/1016-S/2017/556 and A/72/884-S/2018/525).

We strongly believe that, in the light of this year's debate, continued consideration of the responsibility to protect in the General Assembly will foster further dialogue on steps that the United Nations and Member States can take to prevent genocide, crimes against humanity, war crimes and ethnic cleansing. Therefore, if this request is granted, we also intend to provide the Assembly with the opportunity to decide to include the item in the agenda of its future sessions.
